

McCARTER & ENGLISH, LLP

Four Gateway Center
100 Mulberry Street
Newark, New Jersey 07102
(973) 622-4444
Attorneys for Defendant
Commonwealth Land Title
Insurance Company

WALSH SECURITIES, INC.,

Plaintiff,

v.

CRISTO PROPERTY MANAGEMENT,
LTD., A/K/A G.J.L. Limited, ET AL.,

Defendants.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

Civil Action No. 97-cv-3496 (DRD)(MAS)

Hon. Dickinson R. Debevoise, U.S.S.D.J.
Hon. Michael A. Shipp, U.S.M.J.

**STATEMENT IN LIEU OF A BRIEF
PURSUANT TO LOCAL CIVIL RULE 7.1
IN SUPPORT OF THE MOTION
FOR PARTIAL SUMMARY JUDGMENT
ON CERTAIN OF THE CLAIMS
ASSERTED BY PLAINTIFF,
WALSH SECURITIES, INC.**

This statement in lieu of brief is submitted pursuant to Local Civil Rule 7.1(d)(4) in support of the motion for partial summary judgment dismissing certain of the claims asserted by Plaintiff Walsh Securities, Inc.

No brief is necessary, because, by way of this Statement, Defendant Commonwealth Land Title Insurance Company ("Commonwealth") adopts and incorporates all arguments made in the Brief of Nations Title Insurance of New York, Inc. and Fidelity National Title Insurance Co. of New York In Support of Motion for Partial Summary Judgment [document 477-2].

Commonwealth also adopts and incorporates the Statement of Undisputed Material Facts

Pursuant to Local Rule 56.1 submitted by Nations Title Insurance of New York, Inc. and Fidelity

National Title Insurance Co. of New York [document 477-1]. Commonwealth, Nations Title Insurance of New York, Inc., and Fidelity National Title Insurance Co. of New York are similarly situated for the purposes of this motion, and all arguments made in their briefs are equally applicable to Defendant Commonwealth.

In these circumstances, the Court should grant Commonwealth's motion for partial summary judgment and dismiss certain of the claims asserted by Plaintiff Walsh Securities, Inc. based on the arguments set forth in the brief submitted by Nations Title Insurance of New York, Inc., and Fidelity National Title Insurance Co. of New York.

McCARTER & ENGLISH, LLP
Attorneys for Defendant
Commonwealth Land Title
Insurance Company

By: *s/David R. Kott*
David R. Kott
A Member of the Firm

Dated: November 10, 2011